

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)

NOTICE OF CORRESPONDENCE REGARDING THE ONE HUNDRED TWENTY-EIGHT OMNIBUS OBJECTION(NON-SUBSTANTIVE) OF THE COMMONWEALTH OF PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO INDIVIDUAL PROOFS OF CLAIM NOS. 133754 AND 164333.

To the Honorable United States District Judge Laura Taylor Swain:

1. On January 14, 2020, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the sole

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Title III representative of the Commonwealth, HTA and ERS (collectively, the “Debtors”) pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *One Hundred Twenty-Eighth Omnibus Objection of the Commonwealth of Puerto Rico, Puerto Rico Highways and Transportation Authority, and Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient Claims Asserting Interests Based on Salary Demands, Employment, or Services Provided* [ECF No. 9900] (the “One Hundred Twenty-Eighth Omnibus Objection”) to various proofs of claim.

2. The One Hundred Twenty-Eighth Omnibus Objection seeks to disallow deficient claims which purport to assert liabilities against the Commonwealth, HTA, or ERS, but which fail to provide critical information needed to understand what liabilities any of the Commonwealth, HTA, ERS, or any other Title III Debtor may owe.

3. The Debtors have received the attached correspondences from Isidra López Meléndez (“López Meléndez”), copies of which are attached hereto as (i) Exhibit “A” (the “First López Meléndez Response”), regarding Proof of Claim No. 133754 (the “First López Meléndez Claim”) and (ii) Exhibit “B” (the “Second López Meléndez Response,” and together with the First López Meléndez Response, the “López Meléndez Responses”) regarding Proof of Claim No. 164333 (the “Second López Meléndez Claim,” and together with the First López Meléndez Claim, the “López Meléndez Claims”). Certified translations of the First López Meléndez Response and Second López Meléndez Response are attached hereto as Exhibits “A-1” and “B-1”, respectively.

4. The López Meléndez Responses consist of copies of certain pages from the One Hundred Twenty-Fourth Omnibus Objection, along with a handwritten note stating “misuse of the retirement funds for teachers and for the government.” The López Meléndez Responses do not,

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

however, contain any information necessary to evaluate the López Meléndez Claims, such as an explanation of the basis for the López Meléndez Claims. The Debtors have therefore determined that the López Meléndez Responses still do not provide sufficient information to enable the Debtors to reconcile the López Meléndez Claims. Accordingly, the Debtors respectfully request that the Court grant the One Hundred Twenty-Eighth Omnibus Objection and disallow the López Meléndez Claims, notwithstanding the López Meléndez Responses.

Dated: November 13, 2020
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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